SINGLE BENCH

(3) (2)

CF1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR CHHATTISGARH

W. P.(S). NO. 5529 /2006

PETITIONER : **Shushil Tiwari S/o Shri Jagannath Narayan Singh** Age 38 years,
Asstt. Teacher,
Primary School Puraina
Block - Kartala, Distt. - Korba (C.G.)

P.R. No. 5547/06
Present - S.K. Verma
dated 2/10/06

VERSUS

RESPONDENT : 1. **State Govt. of Chhattisgarh**
Through Secretary
Educational Department
D.K.S. Bhawan, Distt.-Raipur (C.G.)

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2. **Distric Education Officer**
Korba, Distt.-Korba (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(17)

HIGH COURT OF CHHATTISGARH AT BILASPUR

W. P. (s) No. 5529 of 2006

Petitioner : Shushil Tiwari

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (s) No. 5530 of 2006

Petitioner : Smt. Savita Kashyap

Versus

Respondents : State Govt. of Chhattisgarh & another

W. P. (s) No. 5531 of 2006

Petitioner : Faiz Mohammad Mansuri

Versus

Respondents : State Govt. of Chhattisgarh & another

And

W. P. (s) No. 5532 of 2006

Petitioner : Sahdeo Kumar Singh Paikara

Versus

Respondents : State Govt. of Chhattisgarh & another

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Shri Ajay Shrivastava, Advocate for the Petitioners.
Shri Sumesh Bajaj, Govt. Advocate for the respondents/State.

ORDER

(10th October, 2006)

1. Learned counsel appearing for the petitioners submits that while working as Assistant Teachers/Upper Division Teachers, the petitioners have gone on training to improve their qualifications on their own expenses and acquired B.Ed./B.T.I Examination Certificates.

2. The present writ petitions, being W.P.(s) Nos. 5529/2006, 5530/2006, 5531/2006 and 5532/2006 involve similar facts and common question of law. Thus, these petitions are being disposed of by this common order.

3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers, who had obtained B. Ed./B.T.I. Examination Certificate on his own expenses, are covered by the circular dated 24.12.98 issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present cases are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.

5. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed./B.T.I. Examination Certificates on their own expenses or not. No order as to costs.

Sd/-
Satish K.Agnihotri
Judge

Bablu